

**Notice of Allowability**

Application No.

10/733,990

Applicant(s)

HAN ET AL.

Examiner

Khawar Iqbal

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8-22-07.
2. ☒ The allowed claim(s) is/are 1 and 5-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1,5-22 allowed.
2. Claims 1,5-22 are allowed. The following is a statement of reasons for the indication of allowable subject matter: Regarding claims 1 and 15 Kim et al teaches in a mobile communication system, a method of setting a reverse activity bit, the method comprising: measuring a rise over-thermal noise-measured representing a load degree of a reverse link; comparing the ROTm with a setup reference value (ROTm\_th); setting the RAB to lower data rate of a terminal, when the ROTm is greater than the ROTm\_th; enabling a base station to receive and monitor a variation state of the ROTm, when the ROTm is less than the ROTm\_th; and setting the RAB to control the data rate according to the variation state of the ROTm; dividing the ROTm into at least two states according to the variation state of the ROTm; and setting the RAB to lower the data rate according to one of the at least two states, resetting the RAB, when the state of the ROTm is changed after the RAB is set. The interference level at a base station due to the signals from mobile stations is determined. The interference level is compared with required transmission energy level determined for each mobile station. The data transmission rate for each mobile station is adjusted based on the comparison result sent through a common channel on a forward link to each mobile station. Claims 1,15 are allowable with above combinations and the applicant's remark filed on 06-19-06, over the prior art of record since the cited references taken individually or in combination fails to particularly teach, calculating a RAB set time, when the state of the ROTm is changed,

by using the formula:  $RAB\ set\ time = RABSetTimeBystate + RABSetTimeByStateTrans$ , wherein  $RABSetTimeBystate$  is a RAB set time corresponding to the state of the  $ROTm$ , and  $RABSetTimeByStateTrans$  is a RAB set time corresponding to the transition degree of the state of the  $ROTm$ .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

  
Khawar Iqbal

  
DUC M. NGUYEN  
SUPERVISORY PRIMARY EXAMINER  
TECHNOLOGY CENTER 2600